

Regeneration and Neighbourhoods Overview and Scrutiny Committee

Report of Executive Member of Neighbourhoods and Prevention on 2015/16 Recommendations.

Review of Selective Landlord Licensing Recommendations 2015/16

The Committee completed its work on Selective Landlord Licensing and recommended as follows. A progress update is given under each recommendation.

1. That the Committee support the Executive Member in his aims to achieve effective selective landlord license schemes in the Infirmary area/Ewood ward and Darwen town centre.

Update response:

The consultation and designation process for the Infirmary area has been completed. Consultation for the central Darwen area designation is scheduled to start in August.

2. That the department explore every avenue/incentive to promote long term tenancy of rented properties in the borough/licensed areas to help promote better long term community spirit.

Update response:

It is very challenging to promote long term tenancies in the private rented sector as landlord let properties on Assured Shorthold tenancies of 6 month duration. The landlord does not need to seek repossession after the 6 month term as the tenant has no right to occupy beyond the 6 months and no right to a further tenancy. However the Selective Licensing scheme and other measures such as Tenants Handbook help promote better understanding between tenant and landlord which can promote longevity of tenancy. Wider associated measures to tackle ASB and environment help attractiveness of the area and willingness of tenants to remain. It is important that all these efforts support and complement local neighbourhood initiatives e.g. as in the Infirmary area involving Ivy Street Community Centre.

3. That any incentives for landlords where appropriate is covered in the schemes admin cost to mitigate the risk to the Council.

Update response:

Unfortunately landlord incentives lie outside the scope of the statutory licensing scheme. The council has powers to charge or recover cost of any incentives and if landlords realised they were paying for the incentives via the fee they may be unwilling to take them up as they would not be seen as incentives.

That said the council is looking to encourage landlords to clear their properties in a responsible manner and is willing to issue a limited number of passes for them to take their house clearances to the household waste and recycling centre.

4. That the Council's creation of a licensing handbook is user friendly and contains key information in an at a glance fashion, Gas safety contact details, electric etc.

Update response:

The tenants handbook is at an advanced stage and is about to be rolled out. It is internet based to make it easy to access and updateable. It complements the government How to Rent booklet – see 6) below.

5. That the licensing handbook contain a section about and promoting the local community, with key contacts for local groups, Councillors etc. with an explanation of each's role.

See above 4.

6. That an example(s) of model tenancy agreements be included in the licensing handbook, to ensure a consistent standard of agreement is reached to assist both landlord and tenants.

Update response:

The Government has provided a booklet called How To Rent which all landlords are required to make available to new tenants (otherwise they cannot gain possession of the property) and this booklet contains a model tenancy agreement

7. That the Committee support the Executive Member in his pursuit of a landlord kite mark.

Update response:

The aim of the Selective Licensing scheme is to bring all properties in the area up to a good standard in terms of management and condition. Whilst a landlord may achieve that standard for properties in the Selective Licensing area, the standard may not be achieved outside the area, so care must be taken not to endorse properties which may not warrant the kite mark. Previous attempts to launch a landlord accreditation scheme have not worked.

Whilst a kite mark may have some merit, this needs more discussion and development.

8. That the Committee would like to see, in addition to the Council's database of rentable properties that the department also looks to create a database landlords.

Update response:

The Selective Licensing scheme has been successful in generating much better intelligence about landlords, the standard of their properties, management, and compliance with regulatory requirements. This intelligence is very useful in risk assessing properties owned by different landlords, and hence targeting the need for inspection and enforcement action.

9. That the Executive Member look to explore any opportunity to “invest to save” to improve the boroughs rented housing market and that these are presented to scrutiny pre decision.

Update response:

Several initiatives are under development to improve the rental offer in the Borough :-
A recycled loan to landlords scheme, involving improvements to empty properties and leasing to a social lettings agent to improve management.

A partnership with Methodist Action involving their leasing empty properties to meet housing needs similar to the above.

Feasibility study for the Council’s Housing Needs team to lease and manage properties to meet homelessness needs, supported by Housing Benefit.

10. That any licensing handbook be presented to the Committee/task group pre decision.

Update response:

The Tenants Handbook will be circulated to Committee members.

11. That the Committee support (in an attempt to reduce accidents in the home) the use of incentives for landlords and tenants such as free safety equipment, smoke detectors etc. and that the department look to work with key partners (NHS, Public Health, Fire Authority) to minimise/spread costs.

Update response:

The Council’s DASH service makes available smoke detectors, and child safety gates, handrails and offers a home safety service for vulnerable households. It is important to make these services available to all those in need, and there is ongoing work to develop and sustain the services.

12. That further to recommendation 10, the department work with key groups/service providers that landlords would use, such as insurance companies, with the aim to acquire a discount for landlords signed up to the licensing schemes.

Update response:

Further consultation and development needed.

13. That an electrical certificate be mandatory for all rented housing in a designated licensing scheme and that it be highlighted in the licensing handbook that all properties should have a relevant dated electrical certificate.

Update response:

An electrical safety certificate is a requirement for each licensed property.

14. That the Committee request that the Executive Member lobby the Government to make changes to legislation to incorporate a minimum length of tenancy agreement,

as the Committee feel that short term tenancies are a large contributing factor to high turnover of tenants and impact on local community.

Update response:

The Council has made representations to government on this subject, most recently related to the Housing and Planning Bill / Act, but to no avail.